



RECOMMENDING COMMITTEE AGENDA
RECOMMENDING COMMITTEE MEETING OF: MARCH 18, 2002

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

PRESENT: COUNCILMEMBERS WEEKLY and MACK

Also Present: CHIEF DEPUTY CITY ATTORNEY VAL STEED, ROBERT GENZER, DIRECTOR, PLANNING & DEVELOPMENT DEPARTMENT, CITY CLERK BARBARA JO (RONI) RONEMUS, and DEPUTY CITY CLERK ANGELA CROLLI

ANNOUNCEMENT MADE – meeting noticed and posted at the following locations:

Las Vegas Library, 833 Las Vegas Boulevard North

Senior Citizens Center, 450 E. Bonanza Road

Clark County Government Center, 500 S. Grand Central Pkwy

Court Clerk's Bulletin Board, City Hall

City Hall Plaza, Posting Board

(4:04)

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AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MARCH 18, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILLS:

ABEYANCE ITEM - Bill No. 2001-115 – Requires certain disclosures in connection with the sale of a residence or residential lot. Sponsored by: Mayor Oscar B. Goodman

Fiscal Impact

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No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill would require a number of disclosures in connection with the sale of a residence or residential lot. Among the items that would have to be disclosed to the buyer are the zoning and land use classifications applicable to the property and surrounding areas, any existing or proposed gaming enterprise districts in the area, existing or proposed assessments, structural defects, and any soils reports regarding the property. Disclosures would have to be documented in writing or by videotape.

RECOMMENDATION:

This bill was held in abeyance to the 3/18/2002 Recommending Committee meeting by the 3/4/2002 Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2001-115

COMMITTEE RECOMMENDATION:

COUNCILMAN MACK recommended Bill 2001-115 be forwarded to the Full Council with “No Recommendation” as a First Amendment. COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

RECOMMENDING COMMITTEE MEETING OF MARCH 18, 2002

City Attorney

Item 1 – Bill No. 2001-115

MINUTES – Continued:

CHIEF DEPUTY CITY ATTORNEY VAL STEED explained that this item was held in abeyance so that the City Attorney's office could implement changes that MAYOR GOODMAN had worked out with the realtors group. He presented a First Amendment changing from a residence or residential lot to the sale of new dwellings. The title and summary will change.

COUNCILMAN WEEKLY asked whether the realtors group have seen the new language. CHIEF DEPUTY CITY ATTORNEY STEED replied that he was not certain, but that the First Amendment was sent to the Mayor's Office. However, the new language is based on what the group had asked. COUNCILMAN MACK indicated that he received a call to hold the item in abeyance.

TODD FARLOW, 240 North 19th Street, stated that the Bill should remain as originally proposed and that in addition should include that homes for resale need to disclose any code violations or whether additions were done without building permits.

COUNCILMAN WEEKLY expressed concern about not allowing those people who might disagree with the language the opportunity to speak before the final language is put together. Growth has taken place in Wards 2, 4 and 6 and many new codes and standards have been introduced, but many homes in older neighborhoods were built without any standards. COUNCILMAN MACK was concerned about putting a financial hardship on those people who own these older homes that might have to bring them up to code before they are sold. CHIEF DEPUTY CITY ATTORNEY STEED informed him that this particular Bill addresses only disclosure and that a different bill would be required to include anything else.

AL GALLEGOS, citizen of Las Vegas, stated that in many instances realtors do not disclose half the information that they should. He gave an example of the pig farm in North Las Vegas. Additionally, information about those homes where garages have been converted into apartments without any building permits is not being disclosed at the time of sale.

COUNCILMAN MACK remaining concerns. COUNCILMAN WEEKLY directed PATRICK SMITH, City Manager's Office, to inform the Mayor's Office of today's action on this matter.

RECOMMENDING COMMITTEE MEETING OF MARCH 18, 2002

City Attorney

Item 1 – Bill No. 2001-115

MINUTES – Continued:

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:04 – 4:12)

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AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MARCH 18, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILLS:

Bill No. 2002-36 – Annexation No. A-0069-01(A) – Property location: On the southwest corner of Washburn Road and Bronco Lane; Petitioned by: Secretary of Veteran's Affairs; Acreage: 1.30 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact

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No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the southwest corner of Washburn Road and Bronco Lane. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (April 12, 2002) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2002-36 and Location Map

COMMITTEE RECOMMENDATION:

COUNCILMAN MACK recommended Bill 2002-36 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY VAL STEED stated that the matter is in order.

RECOMMENDING COMMITTEE MEETING OF MARCH 18, 2002

City Attorney

Item 2 – Bill No. 2002-36

MINUTES – Continued:

No one appeared in opposition.

There was no discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:12)

1-242

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MARCH 18, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILLS:

Bill No. 2002-37 – Annexation No. A-0070-01(A) – Property location: On the northeast corner of Alexander Road and the proposed beltway; Petitioned by: City of Las Vegas; Acreage: 5.53 acres; Zoned: R-U (County zoning), U (PCD) (City equivalent). Sponsored by: Councilman Larry Brown

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the northeast corner of Alexander Road and the proposed beltway. The annexation is at the request of the City, with the concurrence of the Bureau of Land Management as owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (April 12, 2002) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2002-37 and Location Map

COMMITTEE RECOMMENDATION:

COUNCILMAN MACK recommended Bill 2002-37 be forwarded to the Full Council with a “Do Pass” recommendation. COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY VAL STEED stated that the matter is in order.

RECOMMENDING COMMITTEE MEETING OF MARCH 18, 2002
City Attorney
Item 3 – Bill No. 2002-37

MINUTES – Continued:

No one appeared in opposition.

There was no discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:12 – 4:13)

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AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MARCH 18, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILLS:

Bill No. 2002-38 – Annexation No. A-0071-01(A) – Property location: On the east side of Smithsonian Way, approximately 1,195 feet north of Ann Road; Petitioned by: Ron Lisiewski, et al; Acreage: 2.04 acres; Zoned: R-E (County zoning), U (R) (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the east side of Smithsonian Way, approximately 1,195 feet north of Ann Road. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (April 12, 2002) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2002-38 and Location Map

COMMITTEE RECOMMENDATION:

COUNCILMAN MACK recommended Bill 2002-38 be forwarded to the Full Council with a “Do Pass” recommendation. COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY VAL STEED stated that the matter is in order.

RECOMMENDING COMMITTEE MEETING OF MARCH 18, 2002
City Attorney
Item 4 – Bill No. 2002-38

MINUTES – Continued:

No one appeared in opposition.

There was no discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:13 – 4:14)

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AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MARCH 18, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILLS:

Bill No. 2002-39 – Annexation No. A-0074-01(A) – Property location: On the southeast corner of Rome Boulevard and Tioga Way; Petitioned by: Romneer Limited Partnership; Acreage: 9.28 acres; Zoned: R-E (County zoning), U (R) (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact

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No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the southeast corner of Rome Boulevard and Tioga Way. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (April 12, 2002) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2002-39 and Location Map

COMMITTEE RECOMMENDATION:

COUNCILMAN MACK recommended Bill 2002-39 be forwarded to the Full Council with a “Do Pass” recommendation. COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY VAL STEED stated that the matter is in order.

RECOMMENDING COMMITTEE MEETING OF MARCH 18, 2002
City Attorney
Item 5 – Bill No. 2002-39

MINUTES – Continued:

No one appeared in opposition.

There was no discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:14)

1-313

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MARCH 18, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILLS:

Bill No. 2002-40 – Annexation No. A-0081-01(A) – Property location: On the northwest corner of Grand Teton Road and Cimarron Road; Petitioned by: McNamee Family Partnership; Acreage: 30.41 acres; Zoned: R-A and R-E (County zoning), R-A and U (PCD) (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

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Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the northwest corner of Grand Teton Road and Cimarron Road. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (April 12, 2002) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2002-40 and Location Map

COMMITTEE RECOMMENDATION:

COUNCILMAN MACK recommended Bill 2002-40 be forwarded to the Full Council with a “Do Pass” recommendation. COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY VAL STEED stated that the matter is in order.

RECOMMENDING COMMITTEE MEETING OF MARCH 18, 2002
City Attorney
Item 6 – Bill No. 2002-40

MINUTES – Continued:

No one appeared in opposition.

There was no discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:14 – 4:15)

1-325

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MARCH 18, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILLS:

Bill No. 2002-41 – Allows certain retail uses a waiver from the minimum 400-foot separation requirement pertaining to liquor establishments (off-premise consumption). Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

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No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will amend the Zoning Code to allow a waiver from the minimum 400-foot separation requirement pertaining to liquor establishments (off-premise consumption) for retail establishments having less than 20,000 square feet of retail floor space, if the area to be used for the sale, display or merchandising of alcoholic beverages and each use to be protected are separated by a highway or a right-of-way with a width of at least 100 feet.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2002-41

COMMITTEE RECOMMENDATION:

COUNCILMAN MACK recommended Bill 2002-41 be forwarded to the Full Council with a “Do Pass” recommendation. COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

RECOMMENDING COMMITTEE MEETING OF MARCH 18, 2002

City Attorney

Item 7 – Bill No. 2002-41

MINUTES – Continued:

ROBERT GENZER, Director, Planning & Development Department, indicated that this item was placed back on the agenda to once again try to establish a waiver provision for retail establishments, such as convenience stores having less than 20,000 square feet. The original proposal had a waiver provision, but without any standards. Under the current proposal, in order to qualify for a waiver, the retail establishment would have to be located on the street at least 100 feet in width or separated from a protected use by a highway, and the protected use cannot be on the same side of the street as the establishment that will be selling the liquor. MR. GENZER recommended a Do Pass.

No one appeared in opposition.

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:15 – 4:16)

1-339

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MARCH 18, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILLS:

Bill No. 2002-42 – Adopts development agreement with Montecito Town Center, LLC for the Montecito Town Center. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

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No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

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Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

At its meeting of March 6, 2002, the City Council is scheduled to consider the approval of a development agreement with Montecito Town Center, LLC for the Montecito Town Center. Pursuant to State law, such an agreement must be adopted by ordinance. This bill will accomplish that adoption.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

1. Bill No. 2002-42
2. Incorporated Copy of Development Agreement

COMMITTEE RECOMMENDATION:

COUNCILMAN MACK recommended Bill 2002-42 be forwarded to the Full Council with a “Do Pass” recommendation as a First Amendment. **COUNCILMAN WEEKLY** concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

RECOMMENDING COMMITTEE MEETING OF MARCH 18, 2002

City Attorney

Item 8 – Bill No. 2002-42

MINUTES – Continued:

CHIEF DEPUTY CITY ATTORNEY VAL STEED explained that at the last City Council meeting the City Council approved the Development Agreement with Montencito Town Center, LLC, which needs to be adopted by ordinance. He recommended a First Amendment that will attach to the back of the agreement that was approved by the City Council.

No one appeared in opposition.

There was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:16 – 4:17)

1-381



RECOMMENDING COMMITTEE AGENDA
RECOMMENDING COMMITTEE MEETING OF: MARCH 18, 2002

ITEMS RAISED UNDER THIS PORTION OF THE AGENDA CANNOT BE DELIBERATED OR ACTED UPON UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN MET. IF YOU WISH TO SPEAK ON A MATTER NOT LISTED ON THE AGENDA, PLEASE CLEARLY STATE YOUR NAME AND ADDRESS. IN CONSIDERATION OF OTHERS, AVOID REPETITION, AND LIMIT YOUR COMMENTS TO NO MORE THAN THREE (3) MINUTES. TO ENSURE ALL PERSONS EQUAL OPPORTUNITY TO SPEAK, EACH SUBJECT MATTER WILL BE LIMITED TO TEN (10) MINUTES.

MINUTES:

TODD FARLOW, 240 North 19th Street, asked ROBERT GENZER, Director, Planning & Development Department, what could be done to bring those homes with building violations into compliance. MR. GENZER replied that he has not been involved with Bill 2001-115. COUNCILMAN WEEKLY directed MR. GENZER to research the issue and provide MR. FARLOW with that information.

THE MEETING ADJOURNED AT 4:25 P.M.

Respectfully submitted:_____

ANGELA CROLLI
March 18, 2002